

Attorney for Debtor
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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division

In re: Cynthia Dawn Rawlings
10701 Genlou Road
Chesterfield, VA 23832
Last four digits of SSN: xxx-xx-2605

Case No. 13-31200
Chapter 13
Trustee: Robert E. Hyman

Cynthia Dawn Rawlings
v.
Jormandy LLC an Assignee of Chase Bank USA NA
P.O. Box 12173
Norfolk, VA 23541

Registered Agent for Jormandy , LLC
Diane Jeffries Manning
6363 Center Drive
Building 6, Suite 203
Norfolk, VA 23502

OBJECTION TO PROOF OF CLAIM

COMES NOW Cynthia Rawlings, debtor, and states as follows:

1. This Court has proper jurisdiction over the matters herein pursuant to 28 U.S.C. §1334. This matter is a core proceeding pursuant to 28 U.S.C. §157.
2. The debtor, Cynthia Dawn Rawlings filed a petition under Chapter 13 of the United States Bankruptcy Code on March 7, 2013. Robert E. Hyman is the Chapter 13 Trustee in this matter.
3. The debtor filed a Chapter 13 plan on May 20, 2014. That plan was confirmed by Order of this Court on June 27, 2014.
4. Jormandy LLC an Assignee of Chase Bank USA NA ("Jormandy") filed Proof of Claim #2 on March 21, 2013. Jormandy incorrectly filed their claim as an unsecured debt and attached the Abstract of Judgment filed in the Chesterfield County General District Court. (Exhibit A)

5. The plan provides for the repayment of a debt to Jormandy in Section 3D. The debt to Jormandy is secured by a judgment lien filed in the Chesterfield Circuit Court on February 23, 2012. The amount of the debt per Proof of Claim #2 is \$5,371.30. The plan provides for this amount plus 6% interest as this debt is secured by the judgment lien on the debtor's realty. (Exhibit B)
6. The debtor's plan provides for the repayment of the Jormandy debt in full in furtherance of the debtor's goal to have the judgment lien removed from the property upon full repayment of the debt.
7. The Chapter 13 Robert E. Hyman Trustee does not believe that he has the authority to pay Jormandy's unsecured claim as a secured debt in accordance with the plan without an Order from the Court.

WHEREFORE, debtor respectfully requests that this Court finds that the debt to Jormandy LLC is a secured debt that must be paid in accordance with the debtor's Chapter 13 plan and for such other and further relief as the Court deems appropriate.

Respectfully submitted:
Cynthia Dawn Rawlings

By: /s/ Pia J. North
Counsel for Debtor

Certificate of Service

I hereby certify that on this 8/15/2014, I served by ECF, electronic mail or first class mail postage pre-paid the Objection to Claim and Notice of Motion to the United States Trustee at 701 E. Broad Street, Room 4304, Richmond, VA 23219 the Chapter 13 Trustee, Robert E. Hyman P.O. Box 1780 Richmond, VA 23218-1780, Jormandy LLC an Assignee of Chase Bank USA NA, P.O. Box 12173, Norfolk, VA 23541, Registered Agent for Jormandy , LLC, Diane Jeffries Manning, 6363 Center Drive, Building 6, Suite 203, Norfolk, VA 23502.

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Chapter 13
Trustee: Robert E. Hyman

NOTICE OF OBJECTION TO CLAIM

Cynthia Dawn Rawlings, the debtor, has filed an objection to your claim in this bankruptcy case. Your claim may be reduced, modified or eliminated. You should read these papers carefully and discuss them with your attorney, if you have one. If you do not want the court to eliminate or change your claim, then on or before **21 days from August 15, 2014** you or your attorney must: File with the court, at the address below, a written response to the objection and a request for a hearing. Unless a written response is filed and served by the date specified, the court may decide that you do not oppose the objection to your claim. If you mail your response to the court for filing, you must mail it early enough so that the court will receive it on or before the date stated above. United States Bankruptcy Court, Clerk of Court, 701 East Broad Street, Suite 4000 Richmond, VA 23219.

You must also mail a copy to:

Attorney for Debtor
Pia J. North, Esq. #29672
North & Associates, P.C.
5913 Harbour Park Drive
Midlothian, VA 23112

Chapter 13 Trustee
Robert E. Hyman
P.O. Box 1780
Richmond, VA 23218-1780

Under Local Bankruptcy Rule 3007-1, unless a written response and a request for hearing on this objection are filed with the Clerk of the Court and served on the objecting party and the trustee on or before twenty-one (21) days of **August 15, 2014** the service of this objection, the Court may deem any opposition waived, treat the objection as conceded, and enter an order granting the requested relief without a hearing.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Objection to Claim, and may enter an order granting that that the claim be disallowed or modified.

/s/ Pia J. North
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8/15/2014
Date